



PUBLIC NOTICE

Federal Communications Commission
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DA 09-2007
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DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF IMPACT TELECOM, INC. BY LIBERTY-BELL TELECOM, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 09-155

Comments Due: September 17, 2009
Reply Comments Due: September 24, 2009

On August 17, 2009, Impact Telecom, Inc. (Impact) and Liberty-Bell Telecom, LLC (Liberty) (together, Applicants) filed an application, pursuant to section 63.03 of the Commission's rules, to enable Liberty to acquire certain assets of Impact.¹ Impact, a Nevada corporation, provides competitive local exchange and long distance services to business and residential customers in Colorado, New Mexico, and Utah. Liberty, a Colorado limited liability company, provides competitive local exchange and long distance services to business and residential customers in Colorado. The following U.S. citizens own at least 10 percent of the equity of Liberty: Brenda Alexander (56 percent) and Thomas G. Martino (12.3 percent). Pursuant to the terms of the proposed transaction, Liberty will purchase from Impact certain regulated assets consisting of customer accounts in Colorado, New Mexico, and Utah served via resold services. Applicants state that Impact will continue to provide service to non-transferred customers. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

Domestic Section 214 Application Filed for the Acquisition of Assets of Impact Telecom, Inc. to Liberty-Bell Telecom, LLC, WC Docket No. 09-155 (filed Aug. 17, 2009).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for a transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on September 2, 2009.

² 47 C.F.R. § 63.03(b)(2)(i).

to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before September 17, 2009**, and reply comments **on or before September 24, 2009**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, e-mail one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Jodie May at (202) 418-0913.

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³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.